

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: 9/21/05 - MAR

Department: County Attorney's Office

Bulk Item: Yes ☐ No ☒

Staff Contact Person: Suzanne Hutton

**\*\* PUBLIC HEARING 3:00 P.M. \*\***

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**AGENDA ITEM WORDING:**

Public Hearing to consider adoption of a Resolution renouncing and disclaiming any right of the County and the public in and to a portion of Coxon Lane Turn-around, according to the plat of Cutthroat Harbor Estates First Edition, Plat Book 5, Page 50, of the Public Records of Monroe County, Florida. (Cudjoe Key).

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**ITEM BACKGROUND:**

Petition has been reviewed and approved by Planning, Engineering and Fire Marshall.

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**PREVIOUS RELEVANT BOCC ACTION:**

7/20/05 Resolution # 260-2005 approved by BOCC setting the date, time and place for a Public Hearing for September 21, 2005 at 3:00 p.m. in Marathon, FL.

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**CONTRACT/AGREEMENT CHANGES:**

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**STAFF RECOMMENDATIONS:**

Approval.

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**TOTAL COST:** Petitioner Pays

**BUDGETED:** Yes ☐ No ☐

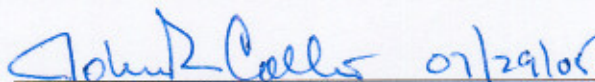
**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:** \_\_\_\_\_

**REVENUE PRODUCING:** Yes ☐ No ☐ **AMOUNT PER MONTH** \_\_\_\_\_ **Year** \_\_\_\_\_

**APPROVED BY:** County Atty \_\_\_\_\_ OMB/Purchasing \_\_\_\_\_ Risk Management \_\_\_\_\_

**DIVISION DIRECTOR APPROVAL:**

  
JOHN R. COLLINS, COUNTY ATTORNEY

**DOCUMENTATION:** Included ☒ Not Required ☐

**DISPOSITION:** \_\_\_\_\_

**AGENDA ITEM #** \_\_\_\_\_



**RESOLUTION NO. - 2005**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, RENOUNCING AND DISCLAIMING ANY RIGHT OF THE COUNTY AND THE PUBLIC IN AND TO A PORTION OF COXON LANE TURN-AROUND, ACCORDING TO THE PLAT OF CUTTHROAT HARBOR ESTATES FIRST ADDITION, PLAT BOOK 5, PAGE 50, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. (CUDJOE KEY)**

WHEREAS, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways, and

WHEREAS, due notice has been published and a public hearing has been held in accordance with Chapter 336, Florida Statutes, and

WHEREAS, at said public hearing the Board considered the argument of all parties present wishing to speak on the matter, and all premises considered concerning the renouncing and disclaiming of any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, and

WHEREAS, the Board has determined that vacation of the said road is for the general public welfare, and conforms to the requirement of Fla. Stat. Secs. 336.09 and 336.10; now, therefore,

BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, hereby renounces and disclaims any right of the County and the public in and to the following described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, to-wit:

*"Being a portion of Coxon Lane Turn-around, according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, Page 60, of the Public Records of Monroe County, Florida, and described as follows; COMMENCE AT THE Northeast corner of Lot 8, Block 9 and run S60°W, 35 feet and the POINT OF BEGINNING of the hereinafter described parcel of road right-of-way of aforementioned Coxon Lane; thence continue S60° W, 62.50 feet; thence S30° E, 25 feet; thence N60° E, 47.50 feet; to a point of radius curve; thence by a curve concave to the South, having a radius of 25 feet, an arc length of 16.09 feet, a chord bearing N78 26' 03"E, 15.81 feet; thence N30°W, 30 feet back to the POINT OF BEGINNING. Contains 1,586.5 square feet +-."*



PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida,  
at a regular meeting of the Board on the 21<sup>st</sup> day of September, 2005.

Mayor Spehar  
Mayor Pro Tem McCoy  
Commissioner Nelson  
Commissioner Neugent  
Commissioner Rice

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(SEAL)

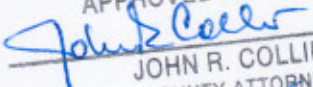
Attest: DANNY L. KOLHAGE, Clerk

By \_\_\_\_\_  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By \_\_\_\_\_  
DIXIE M. SPEHAR, Mayor/Chairperson

(KMP:RAP:COXON LANE 8.17.05)

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:  
  
JOHN R. COLLINS  
COUNTY ATTORNEY  
Date 07/29/05



No. 1491800

**NOTICE OF  
PUBLIC HEARING**

**NOTICE IS HEREBY  
GIVEN** that the Board of  
County Commissioners  
of Monroe County,  
Florida, will hold a public  
hearing on **September  
21, 2005, at 3:00 P.M.**, at  
the **Marathon  
Government Center,  
2798 Overseas Hwy,  
Mile Marker 47.5,  
Marathon, Florida**, for  
the purpose of  
determining whether or  
not the following streets,  
alley-ways, roads or  
highways shall be  
abandoned:

"Being a portion of Coxon  
Lane Turn-around,  
according to the plat of  
Cutthroat Harbor Estates  
First Addition, Plat Book  
5, Page 60, of the Public  
Records of Monroe  
County, Florida, and  
described as follows;  
**COMMENCE AT THE**  
Northeast corner of Lot 8,  
Block 9 and run S60  
degrees W, 35 feet and  
the **POINT OF  
BEGINNING** of the  
hereinafter described  
parcel of road  
right-of-way of  
aforementioned Coxon  
Lane; thence continue  
S60 degrees W, 62.50  
feet; thence S30 degrees  
E, 25 feet; thence N60  
degrees E, 47.50 feet; to  
a point of radius curve;  
thence by a curve  
concave to the South,  
having a radius of 25 feet,  
an arc length of 16.09  
feet, a chord bearing N78  
26' 03"E, 15.81 feet;  
thence N30 degrees W,  
30 feet back to the  
**POINT OF BEGINNING**.  
Contains 1,586.5 square  
feet +/-."

Pursuant to Section  
286.0105, Florida  
Statutes, notice is given  
that if a person decided to  
appeal any decision  
made by the Board with  
respect to any matter  
considered at such  
hearings or meetings, he  
will need a record of the  
proceedings, and that, for  
such purpose, he may  
need to ensure that a  
verbatim record of the  
proceedings is made,  
which record includes the  
testimony and evidence  
upon which the appeal is  
to be based.

Dated at Key West,

**110  
Legal Notices**

Florida, this 20th day of  
July, 2005.

DANNY L. KOLHAGE,  
Clerk of the Circuit Court  
and ex officio Clerk of the  
Board of County  
Commissioners of  
Monroe County, Florida

Published August 13, 2005  
Florida Keys Keynote

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Board of County Commissioners  
of Monroe County, Florida, will hold a public hearing on **September 21,  
2005, at 3:00 P.M.**, at the **Marathon Government Center, 2798  
Overseas Highway, Mile Marker 47.5, Marathon, Florida**, for the  
purpose of determining whether or not the following streets, alley-ways,  
roads or highways shall be abandoned:

"Being a portion of Coxon Lane Turn-around, according to the  
plat of Cutthroat Harbor Estates First Addition, Plat Book 5,  
Page 60, of the Public Records of Monroe County, Florida, and  
described as follows; **COMMENCE AT THE** Northeast corner of  
Lot 8, Block 9 and run S60°W, 35 feet and the **POINT OF  
BEGINNING** of the hereinafter described parcel of road right-of-  
way of aforementioned Coxon Lane; thence continue S60° W,  
62.50 feet; thence S30° E, 25 feet; thence N60° E, 47.50 feet; to  
a point of radius curve; thence by a curve concave to the South,  
having a radius of 25 feet, an arc length of 16.09 feet, a chord  
bearing N78 26' 03"E, 15.81 feet; thence N30°W, 30 feet back to  
the **POINT OF BEGINNING**. Contains 1,586.5 square feet +/-."

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a  
person decided to appeal any decision made by the Board with respect  
to any matter considered at such hearings or meetings, he will need a  
record of the proceedings, and that, for such purpose, he may need to  
ensure that a verbatim record of the proceedings is made, which record  
includes the testimony and evidence upon which the appeal is to be  
based.

Dated at Key West, Florida, this 20th day of July, 2005.

DANNY L. KOLHAGE, Clerk of the Circuit Court  
and ex officio Clerk of the Board of County  
Commissioners of Monroe County, Florida

August 14, 2005

229136



**RESOLUTION NO. 260 - -2005**

**A RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING CONCERNING THE PROPOSED ABANDONMENT OF A PORTION OF COXON LANE TURN-AROUND, ACCORDING TO THE PLAT OF CUTTHROAT HARBOR ESTATES FIRST ADDITION, PLAT BOOK 5, PAGE 60, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (CUDJOE KEY).**

WHEREAS, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways, and

WHEREAS, under Chapter 336, Florida Statutes, it is necessary to hold a public hearing after publishing due notice of said hearing in accordance with said Chapter, now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that the Board will hold a public hearing on **September 21, 2005 at 3:00 P.M. at the Marathon Government Center, 2798 Overseas Highway, Mile Marker 47.5, Marathon, Florida**, to determine whether or not the Board will renounce and disclaim any right of the County and the public in and to the following described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, to-wit:

*"Being a portion of Coxon Lane Turn-around, according to the plat of Cutthroat Harbor Estates First Addition, Plat Book 5, Page 60, of the Public Records of Monroe County, Florida, and described as follows; COMMENCE AT THE Northeast corner of Lot 8, Block 9 and run S60°W, 35 feet and the POINT OF BEGINNING of the hereinafter described parcel of road right-of-way of aforementioned Coxon Lane; thence continue S60° W, 62.50 feet; thence S30° E, 25 feet; thence N60° E, 47.50 feet; to a point of radius curve; thence by a curve concave to the South, having a radius of 25 feet, an arc length of 16.09 feet, a chord bearing N78 26' 03"E, 15.81 feet; thence N30°W, 30 feet back to the POINT OF BEGINNING. Contains 1,586.5 square feet +-."*

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board held on the 20th day of July, 2005.

Mayor Dixie M. Spehar  
Mayor Pro Tem Charles "Sonny" McCoy  
Commissioner Murray Nelson  
Commissioner George Neugent  
Commissioner David Rice

Yes \_\_\_\_\_  
Yes \_\_\_\_\_  
Yes \_\_\_\_\_  
Yes \_\_\_\_\_  
Yes \_\_\_\_\_

FILED FOR RECORD  
05 JUL 25 PM 1:07  
DANNY L. KOLHAGE  
CLK. CIR. CT.  
MONROE COUNTY, FLA

(SEAL)  
ATTEST: DANNY L. KOLHAGE, CLERK

By *[Signature]*  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By *[Signature]*  
Mayor Dixie M. Spehar

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM

SUZANNE A. HUTTON  
ASSISTANT COUNTY ATTORNEY

Date 6/30/05